

ARTICLE I

GENERAL PROVISIONS

1.1 Title

These Regulations shall be referred to as the "Mineral County Subdivision Regulations."

1.2 Authority

The Mineral County Subdivision Regulations are authorized by Chapter 106-2-34 of the Colorado Revised Statutes, 1963, as amended, and are hereby declared to be in accordance with all provisions of these statutes.

1.3 Purpose (Amendment adopted by Mineral County Commissioners, June 7, 1976)

These Regulations are designed and enacted for the purpose of protecting the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Mineral County, Colorado by:

- 1.3.1 Ensuring that proposed developments adequately mitigate potential hazards to protect the rights, health, safety, and well-being of the citizens of Mineral County.
- 1.3.2 Ensuring that valuable resources whose anticipated value to the citizens, county, state and nation exceeds the value of the proposed development are protected. Mineral resources shall be protected to allow extraction or exploration of minerals unless extraction and/or exploration would cause significant danger to the public health and safety.
- 1.3.3 Recognizing the rights of the developer, the citizens and the communities and to ensure that any proposed development does not create an excessive burden on the county taxpayer.
- 1.3.4 Encouraging the proper arrangement of streets in relation to existing or planned streets and to the comprehensive plan, if such exists.
- 1.3.5 Ensuring for the provision for adequate and convenient open spaces for traffic, utilities, access for firefighting apparatus, civil defense, recreation, sites for schools and educational facilities, and related structures, light and air.
- 1.3.6 Avoiding congested population, including minimum lot area and width.

- 1.8.1.3 Which is created by order of any court in the State of Colorado or by operation of law;
- 1.8.1.4 Which is created by a lien, mortgage, deed of trust, or any other security instrument;
- 1.8.1.5 Which is created by a security or unit of interest in any investment trust regulated under the laws of the State of Colorado or any other interest in an investment entity;
- 1.8.1.6 Which creates cemetery lots;
- 1.8.1.7 Which creates an interest or interests in oil, gas, minerals, or water which are now or hereafter severed from the surface ownership of real property; or
- 1.8.1.8 Which is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy, or as tenants in common, and any such interest shall be deemed for purposes of these Regulations as only one (1) interest.

1.8.2 Common, corporate, syndicated or other similar ownership which creates multiple building sites shall be subject to these Sub-division Regulations.

1.8.3 Any division of land as described in Section 1.9⁴⁶-21 and which is not excepted, but which is a division of land by metes and bounds description, shall constitute a subdivision of land and shall require compliance with these Regulations.

1.8.4 (Amendment adopted by Mineral County Commissioners, June 7, 1976)

No land shall be subdivided for any use where the Board of County Commissioners finds that the land has severe or very severe limitations unless proper mitigation procedures are sufficiently followed to satisfy the evaluation criteria outlined in Article IV. This would apply to all areas containing or suspected of containing:

1.8.4.1 Natural hazards which include, but shall not be limited to: flooding; concentrated runoff; inadequate drainage; wild-fire hazard areas; geologic hazard areas, including avalanches, land slides, rock falls, mudflows, and debris fans, unstable or potentially unstable slopes, seismic effects, radioactivity, ground subsidence and expansive soils and rock.

1.8.4.2 Other limiting natural features such as slow permeability, erosion susceptibility, high ground water table, and lack of evidence of adequate potable water supply.